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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. CR-09-901 SBA
	)	
Plaintiff,	)	STIPULATION AND ORDER TO
	)	CONTINUE STATUS CONFERENCE
v.	)	AND EXCLUDE TIME UNDER THE
	)	SPEEDY TRIAL ACT
DWEN CURRY,	)	
	)	
Defendant.	)	
_____	)	

IT IS HEREBY STIPULATED AND AGREED between the plaintiff through its attorney, Joshua Hill, and the defendant through his attorney, Nina Wilder, that the status hearing presently set for May 18, 2010, be continued to June 8, 2010 at 9:00 a.m. The request for a continuance is due to the parties' continued discussion of the scope of additional discovery that must be available for review in this case. At the request of defense counsel, the government is conducting additional investigation concerning the loss amount in this case and the number of victims, which could impact the Guidelines calculation. Defense counsel continues to engage in investigation. The parties agree that the delay is not attributable to lack of diligent preparation on the part of the attorney for the government or defense counsel. For these reasons, the parties request that time under the Speedy Trial Act be excluded based on the government's need for

1 reasonable time necessary for effective preparation, taking into account the exercise of due  
2 diligence. The parties agree that the waiver covers all time between the date of this stipulation  
3 and June 8, 2010.

4  
5 IT IS SO STIPULATED:

6 Dated: May 11, 2010

\_\_\_\_\_  
/S/  
NINA WILDER  
Attorney for Defendant

8  
9 Dated: May 11, 2010

\_\_\_\_\_  
/S/  
JOSHUA HILL  
Assistant United States Attorney

11  
12 **ORDER**

13 GOOD CAUSE HAVING BEEN SHOWN, it is hereby ordered that the hearing in this  
14 matter now scheduled for May 18, 2010 is hereby rescheduled for June 8, 2010 at 9:00 a.m.  
15 Based upon the representation of counsel and for good cause shown, the Court also finds that  
16 failing to exclude the time between May 11, 2010 and June 8, 2010 would unreasonably deny the  
17 government and the defense the reasonable time necessary for effective preparation, taking into  
18 account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds  
19 that the ends of justice served by excluding the time between May 11, 2010 and June 8, 2010  
20 from computation under the Speedy Trial Act outweigh the best interests of the public and the  
21 defendant in a speedy trial. Therefore, it is hereby ordered that the time between May 11, 2010  
22 and June 8, 2010 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. §§  
23 3161(h)(7)(A) and (B)(iv).

24  
25 DATED: May 13, 2010

  
\_\_\_\_\_  
HONORABLE SAUNDRA B. ARMSTRONG  
United States District Court Judge